



Memorandum

Date: May 9, 2005

To: Community Social Services
Supervisors – EIA and
EIA Rural Program Managers

From: Pam Goulet, Executive Director
Adult and Children's Programs, and

John Petersen, Executive Director
Employment and Income
Assistance Programs

Telephone:

Subject: **Landlord Requests Re: Direct Rent &/Or Confirmation of Participant EIA Information**

The Employment & Income Assistance (EIA) Program traditionally provides entitled benefits for basic needs and rent directly to participants. In unique circumstances and at the request of the participant, EIA can agree to pay rent directly to their landlord.

The Human Rights Legislation in Manitoba supports the program's approach that decisions on whether to pay rent directly is between the participant and EIA. **Landlords cannot suggest to participants that rent direct is required in order to rent to them.** Each applicant must be assessed on their own merit and circumstances. A tenant who has already demonstrated a poor tenancy record with regards to paying rent when it is due could cause a landlord to establish a different approval procedure.

If EIA staff receives requests from landlords for rent direct payments, EIA staff should:

- Deny the request (unless the participant has contacted EIA which lead to a decision by EIA to pay rent direct due to their unique circumstances).
- Advise the landlord of the participant's legal right to choice on this matter and that landlords who violate this right to choice would be in violation of the MB Human Rights Code.

Landlords in Manitoba have the legal right to gather information to support whether the applicant will be a suitable tenant as long as this information is not used for discriminatory purposes. A landlord can inquire about an applicant's source of income but cannot refuse occupancy because the tenant's income is derived in whole or part from social assistance.

Tenants who wish to apply for occupancy with a landlord can legally be asked to provide information to landlords to assist them in determining a) if there is reasonable evidence of the applicant's ability to pay and b) if there is reasonable indication that the applicant will honour tenant responsibilities.

This information includes:

- Current and previous sources of income;
- Monthly amount of Income;
- Dates (from & to) for the sources of income;
- Contact person and phone number for sources of income; and
- Participant's Rental History

When EIA Participants provide this information to landlords and EIA staff is contacted to confirm the information related to EIA as a source of income they must:

Note: Some landlords may phone EIA staff for confirmation and some may accept information provided to them by participants.

- **Request landlords provide EIA with a signed copy of the participant's authorization for landlord to contact EIA (rental application, etc).**
- Once received, EIA staff can provide verbal confirmation to the landlord of the information the participant provided to the landlord regarding dates they were in receipt of income assistance and the monthly amount of assistance provided if requested. **Alternatively EIA staff can provide the participant with a copy of their EIA budget information and the participant can share this with a landlord to confirm income source.** During the application process, EIA staff will not provide landlords with any additional information regarding the participant or EIA's authorization for any type of shelter costs.
- Once the landlord and the participant have completed a **signed tenancy agreement**, it can be forwarded to EIA. Once received, EIA staff can then confirm for the landlord details regarding whether a damage deposit and/or rent will be provided to the participant to take to the landlord or whether EIA will be paying the damage deposit and/or rent to the landlord.